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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,522	12/11/2003	Rebecca C. Weiss	MS1-1722US	3773

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EXAMINER
PANTOLIANO JR, RICHARD

ART UNIT	PAPER NUMBER
2194	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 December 2003 and 31 March 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-SB/08)
    Paper No(s)/Mail Date *20040102, 20040507, 20070605*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This is the initial office action for Application# **10/735,522** filed on **11 December**

2003. **Claims 1-31** are currently pending and have been considered below.

Specification

2.   The disclosure is objected to because of the following informalities: numerous

references are made to a copending application filed by Applicants and that is related to

the instant application without supplying the serial number of said copending

application. The copending application is referenced only by attorney docket number

throughout Applicants' specification. Applicants' disclosure should be amended, as

necessary, to supply the serial number for the referenced copending application.

Drawings

3.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims. Throughout the claims, various

limitations concerning a "component" are cited, but, in view of the specification, it is not

readily apparent as to what component Applicants are referring in the submitted

drawings. Applicants are asked to identify what component(s) in the drawings

correspond to the claimed "component" for each claim.

4.   In the event that the claimed "component" is not currently present in the

drawings, corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in

reply to the Office action to avoid abandonment of the application. Any amended

replacement drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure

is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate

changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering

of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next

Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   **Claims 1-6, 10, 11, 13, 15-21, 25, 26, and 28-31** are rejected under 35

U.S.C. 102(b) as being anticipated by Sampat et al (US Pat: 6,279,029), hereinafter

Sampat.

7.   As to **Claim 1,** <u>Sampat</u> discloses the invention substantially as claimed including

a system comprising:

        a) one or more computer-readable media (Col. 37, lines 47-59); and

        b) a component embodied on the one or more computer-readable media, the

component to communicatively interact with an application and a media engine to

present a presentation the component to selectively provide information to the media

engine describing where and how media content is to be presented in response to an

access by the media engine (Col. 7, line 47 – Col. 8, line 32) (The server meets this

claim limitation).

8.   As to **Claim 2,** <u>Sampat</u> further teaches wherein the component exposes an

application program interface that is used by the application to interact directly with the

component (Col. 8, lines 33-45).

9.   As to **Claim 3,** <u>Sampat</u> further teaches wherein the component defines where the

presentation is to be presented (Col. 8, lines 46-60).

10.   As to **Claim 4,** <u>Sampat</u> further teaches wherein the component provides an

object with information that the media engine uses to obtain a media sink component

(Col. 9, lines 29-40 and Col. 13, line 62 – Col. 14, line 55).

11.   As to **Claim 5,** <u>Sampat</u> further teaches wherein the component is to receive

information associating an input media stream with a presentation output media stream

(Col. 8, lines 46-60).

12.   As to **Claim 6,** <u>Sampat</u> further teaches wherein the component contains a

plurality of sub-components, each sub-component being related to an output media

stream to be presented in the presentation (Col. 9, lines 11-40) (The media service

providers (MSPs) meet this claim limitation).

13.   As to **Claim 10,** <u>Sampat</u> further teaches wherein the component resides in a

computing device and the media sink component resides in another computing device

(Col. 9, lines 1-67 and Col. 13, line 62 – Col. 14, line 55).

14.   As to **Claim 11,** <u>Sampat</u> further teaches wherein the component is to selectively

provide information to the media engine related to a presentation clock that allows the

application to control the presentation independently of other media content being

presented in the presentation (Col. 11, lines 1-36).

15.   As to **Claim 13,** <u>Sampat</u> further teaches wherein the component exposes an

application program interface (API) that is selectively used by the application to change

how many sub-components are contained in the component (Col. 8, lines 46-60 and

Col. 9, lines 11-40).

16.   As to **Claim 28,** Sampat further teaches wherein the component is to selectively

provide a series of outputs to the media engine for a series of presentations that occur

during a session (Col. 5, lines 35-50 and Col. 7, lines 40-61).

17.   As to **Claim 29,** Sampat further teaches wherein the component selectively

provides an output multiple times as part of the series of outputs (Col. 5, lines 35-50 and

Col. 7, lines 40-61).

18.   As per **Claim 30,** Sampat further teaches wherein the component is to signal the

media engine that a connection or change therein has occurred between the computing

devices (Col. 20, lines 30-55).

19.   As to **Claim 31,** Sampat further teaches wherein the component is to receive

information associating an input media stream with a presentation output media stream

without involvement of the application (Col. 7, line 47 – Col. 8, line 32).

20.   As to **Claim 15,** Sampat discloses the invention substantially as claimed

including a method for use by an application in presenting a presentation, the method

comprising:

a) selectively providing information describing media content to be presented in the presentation to a media engine in response to an operation by the media engine (Col. 5, line 35 – Col. 6, line 64); and

b) selectively providing information related to an object containing information regarding how the presentation is to be presented to the media engine, wherein the media engine selectively manages the presentation without requiring further interaction with the application (Col. 7, line 47 – Col. 8, line 32).

21.   As to **Claim 16**, <u>Sampat</u> further comprising exposing an application program interface that is used by the application to interact indirectly with media sink components of the media engine (Col. 8, lines 33-45; Col. 9, lines 29-40 and Col. 13, line 62 – Col. 14, line 55).

22.   As to **Claim 17**, <u>Sampat</u> further teaches wherein the object contains information used by the media engine to determine where the presentation is to be presented (Col. 8, lines 46-60).

23.   As to **Claim 18,** <u>Sampat</u> further teaches wherein the object contains information that the media engine uses to obtain a media sink component (Col. 9, lines 29-40 and Col. 13, line 62 – Col. 14, line 55).

24.   As to **Claim 19**, <u>Sampat</u> further teaches receiving information associating an

input media stream with a presentation output media stream to be presented in the

presentation (Col. 8, lines 46-60).

25.   As to **Claim 20**, <u>Sampat</u> further teaches obtaining information related to a

plurality of output media streams for which a given input media stream is intended in

response to a request from the media engine and returning a collection of the obtained

information to the media engine (Col. 11, line 42 – Col. 12, line 65).

26.   As to **Claim 21,** <u>Sampat</u> further teaches changing how many output media

streams are present in the plurality of output media streams in response to an operation

by the application (Col. 8, lines 46-60) (The server can control what "channels" are sent

out to the client applications, thereby meeting this claim limitation).

27.   As to **Claim 25**, <u>Sampat</u> further teaches wherein the presentation is presented in

a client device and the application resides in a server device (Col. 8, lines 46-60) (The

server executes the control application and directs the presentation over the network,

thereby meeting this claim limitation).

28.   As to **Claim 26,** <u>Sampat</u> further teaches selectively providing information to the

media engine related to a presentation clock that allows the application to control the

presentation independently of other media content being presented in the presentation (Col. 11, lines 1-36).

Claim Rejections - 35 USC § 103

29.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

30.   **Claims 7-9 and 22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat in view of Bhola et al (US Pat: 6,321,252), hereinafter Bhola.

31.   As to **Claim 7,** while Sampat teaches the system of **Claim 1,** Sampat does not explicitly teach wherein information contained in the component can be changed while the presentation is being presented.

32.   Bhola explicitly teaches wherein information contained in the component can be changed while the presentation is being presented (Col. 4, lines 35-67; Col. 6, lines 6-57; and Col. 7, lines 14-35).

33.   It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system disclosed by Sampat with the teachings disclosed by Bhola. One would have been motivated by the fact that the data being streamed over the network can be both produced and consumed in real-time, therefore requiring that

the system be aware of all changes being made within the system to allow for updates to be broadcast to all clients within the system (Bhola; Col. 1, line 40 – Col. 2, line 4).

34.　　As to **Claim 8**, Sampat further teaches wherein the component is to signal the media engine that information contained in the component is being changed (Col. 8, lines 46-60).

35.　　As to **Claim 9,** wherein the component is to selectively signal the media engine in response to an operation by the application (Col. 8, lines 46-60).

36.　　As to **Claims 22-24,** these claims are rejected for the same reasoning as applied to **Claims 7-9 and 15**, above.

37.　　**Claims 12 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat in view of An et al (US Pat: 6,694,368), hereinafter An.

38.　　As to **Claim 12,** Sampat further teaches wherein the component exposes an application program interface (API) implementing a method that is defined to have an output argument that is a pointer to an object containing information regarding where and how media content is to be presented (Col. 7, line 47 – Col. 8, line 32; Col. 8, lines 46-60; and Col. 9, lines 41-60).

39.　　Sampat does not explicitly teach:

a) an input argument that is a pointer to a descriptor of a stream of media content

to be presented in the presentation; and

b) another input argument that is a pointer to a media type to be used in

presenting the stream of media content.

40.   An explicitly teaches the limitations cited above (Col. 8, lines 6 – 51).

41.   It would have been obvious to one of ordinary skill in the art at the time of

invention to modify the system disclosed by Sampat with the teachings of An. One

would have been motivated by the fact that the Data Link Manager (DLM) disclosed by

Sampat (Col. 18, lines 21-30; Col. 19, lines 5-52) would implicitly require the above

cited parameters in order to deliver the streams over the correct network device.

42.   As to **Claim 27**, this claim is rejected for the same reasoning as applied to

Claims 12 and 15.

43.   **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat

in view of Meza (US PGPub: 2004/0073912).

44.   As to **Claim 14,** Sampat does not explicitly disclose wherein the component is to

selectively provide outputs for subsequent presentations originating from the media

source in a "timeline"-style presentation.

45.   Meza explicitly discloses wherein the component is to selectively provide outputs

for subsequent presentations originating from the media source in a "timeline"-style

presentation (para. [0122]) (The displaying of multiple data streams in a predetermined order meets this claim limitation).

46.   It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system disclosed by Sampat with the teachings of Meza. One would have been motivated by the need to organize the received data in such a way as to allow for the user to easily follow the presentation. While the ability to have audio, video, and text displayed at the same time (Sampat; Col. 1, lines 27 – 49) may be manageable for a user, having multiple different video, audio, and text streams displayed at the same time would be overwhelming for an individual to follow. Allowing the presentations to be made in a specified order allows for the overall presentation to be made in a more comprehendible manner for the user.

Conclusion

47.   The prior art made of record on the P.T.O. 892 that has not relied upon is considered pertinent to applicant's disclosure. Careful consideration of the cited art is required prior to responding to this Office Action, see 37 C.F.R. 1.111(c).

48.   Examiner has cited particular columns and line numbers and/or figures in the references as applied to the claims for the convenience of the applicant. Applicant is reminded that rejections are based on references as a whole and not just the cited passages. Although the specified citations are representative of the teachings in the art

and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the cited art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Pantoliano Jr whose telephone number is (571) 270-1049. The examiner can normally be reached on Monday-Thursday, 8am - 4 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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RP
06/19/2007

WILLIAM THOMSON
ADVISORY PATENT EXAMINER